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C O N F I D E N T I A L DAMASCUS 000764

SIPDIS

DEPARTMENT FOR NEA/FO, NEA/ELA

E.O. 12958: DECL: 10/31/2018

TAGS: PREL ASEC AMGT SY

SUBJECT: RESPONDING TO SARG'S ORDERS OF OCTOBER 29 --
REQUEST FOR DEPARTMENT GUIDANCE

REF: A. DAMASCUS 758
1B. NEWHOUSE-CONNELLY EMAIL
1C. 10/29/08
1D. DAMASCUS 755

Classified By: CDA Maura Connelly, Reasons 1.4 b and d.

11. (U) This cable contains two action requests) see para 9.

12. (C) Summary: Reopening for normal business November 2, Embassy Damascus will be faced with the question whether to comply with the SARG's verbal order of October 29 to immediately close the American Cultural Center, including the American Language Center. Pending Department guidance, and on the understanding that the SARG's action is legal, post has elaborated a response that is aimed at creating an impression of compliance that would close as few options for the future as possible. Absent a formal protest from the USG, we do not see a way to avoid closing the Language Center since it is a focus of SARG attention. With a week's grace period before closure, there are efforts underway by local diplomats, led by the Canadian Ambassador with Charge's active participation, to explore the viability of "re-branding" the Damascus Community School as a means of providing the SARG a face-saving means of allowing the school to remain open. Department's detailed guidance on responding to the SARG orders re the Cultural Center and its reaction to the "re-branding" option for the school would be greatly appreciated. End Summary.

WHAT IS THE AMERICAN CULTURAL CENTER?

13. (C) Subsequent to the SARG's verbal order delivered to Charge October 29 to close the Damascus Community School (DCS) and the American Cultural Center (ACC) (ref A), post has reviewed a number of options for responding to the SARG. Based on discussions in the Department reported to us (ref B), we understand that there are no grounds for objecting to the SARG's orders under international law. That analysis is particularly disappointing to us regarding the ACC as we had believed there was a distinction to be made between our cultural operations, integrated as they are into our diplomatic activities, and those of other countries (e.g., Britain, France, Germany) which maintain separate entities for cultural outreach. During the meeting with MFA Chief of Protocol Debbagh October 29 (ref A), it became clear that the

MFA, at least, had no very clear idea of what was subsumed under the ACC beyond the American Language Center (ALC). Had the SARG waited to process the closure orders through the Ministries of Education and Culture, as indicated in the October 28 Cabinet decree, those ministries' greater familiarity with both DCS and the ACC would probably have resulted in clearer and more orderly closure notices.

(Subsequent to the notification, we have heard reports from various sources that the closure orders are not intended to be permanent and that an official apology from the USG for the alleged raid in Abu Kamal on October 26 would result in nullification of the orders. No such conditionality, however, has been conveyed to Embassy Damascus.)

¶4. (C) Based on the MFA's instruction, we understand that the SARG expects "immediate" closure of the ACC and closure of DCS by November 6. Embassy Damascus was closed in its entirety October 30 because of security concerns over a government-sponsored demonstration (ref C) closing the entire embassy that day gave us a three-day respite before the next normal working day, November 2. In our listing of options for dealing with the ACC (ref A), again based on the information that we could not object to the order on legal grounds, we preferred the option that would give an impression of compliance by limiting public access to the ACC and its activities until such time as we can gradually reinstate our cultural operations, with either the explicit or tacit concurrence of the SARG. The ALC, however, with its 2,000 plus clientele, is well within the SARG's gun sights; while closing the ALC presents complicated financial and legal difficulties with Amideast, the MFA Chief of Protocol expressly included the ALC in the closure order. It seems closing the ALC is inevitable barring active protest from the

USG. If we do close the ALC, Amideast may be unwilling to resume the current contractual arrangements.

¶5. (C) Pending Department's guidance, we have prepared for a contingency under which we have to "close the ACC" on November 2. We have prepared a draft statement (to be used either as a release or as press guidance) that reads, "In response to the SARG's request, the American Cultural Center will be unavailable to the public until further notice." A second, optional sentence would read, "Classes at the American Language Center are cancelled until further notice."

We believe it is important to avoid the words "order," "compliance," and "close" in dealing with the media for two reasons: 1) to avoid any implication of finality that we would later have to publicly explain when, we hope, the facilities are reopened; and 2) to limit any public relations benefit the SARG may seek to achieve from the orders.

DEFINING "CLOSED"

¶6. (C) If we are forced to "close the ACC," including the ALC, our plan would be to let the SARG and the public focus on the ALC closure (likely to be deeply unpopular with younger Syrians keen to learn English), and, as a token "closure" in the Embassy building which bears the "American Cultural Center" sign, we would bar public access to the Information Resource Center (IRC), a library and internet access facility for public use. For the immediate future, while SARG scrutiny remains high, we would not allow the public into the Educational/Testing office, we would cancel activities open to the public such as Movie Night (popular with university students) and the Elections Open House (an elections night event aimed at highlighting the U.S. electoral process). "International Education Week," scheduled for mid-November, would also probably have to be canceled. We would not, however, cancel the Fulbright program, other educational exchanges, or the International Visitor Program.

RED LINE: CLOSING THE BUILDING

¶7. (C) Our red line in implementing, or seeming to implement, the SARG order is maintaining our own access to the building that houses the ACC (but not the ALC). Other

embassy operations are housed in that building (press office, political and economic FSN staff, Commercial and Agricultural offices, human resources, medical unit, and CLO) and we have no room to house those operations within the Chancery compound. Charge is opposed to removing the "American Cultural Center" sign from the building to demonstrate compliance but would do so if so directed by the Department.

STATUS OF DCS

¶8. (C) With a one-week grace period, we have more time to contend with the DCS closure. Following an emergency school board meeting October 29, at which board members recalled that sponsorship of the school was assumed by Italy from 1967 to 1974 during a gap in diplomatic relations between the U.S. and Syria, Charge has worked with the Canadian Ambassador to explore the feasibility of "re-branding" DCS as a means of keeping it open. The absence of DCS, seen as the best international school in Syria, would be a severe blow for Embassy families but also for the families of some 350 children of local diplomats and Syrians. Neither the name of the school nor its demographics (U.S. embassy children are, at less than five percent, a minority in the school) justify its targeting by the SARG for closure; reportedly, DCS is the focus of an animus on the part of President Bashar al-Asad. Speculation about the cause of his hostility ranges from reports that Syrian children at DCS speak better English than do his own children to lingering anger over the accidental death of a Syrian student on a field trip in 2004. Whatever the cause, we believe that we are not engaged in a rational discussion with the SARG when it comes to the status of the school. Neither the Ministry of Education nor the MFA will champion the cause of the school against a presidential diktat, particularly in the current climate, even though the closure affects Syria's relations with other countries and reduces its viability as a venue for foreign companies pursuing investment opportunities in Syria.

¶9. (C) The Canadian Ambassador will convene a meeting of local diplomats November 2 to formulate a strategy to present the SARG a face-saving means of allowing the school to remain open, for the semester, for the academic year, or perpetuity. Royal Dutch Shell's Damascus operation has a strong interest in the school for the children of its international employees and its representative has already expressed his intent to find a way to keep the school open. "Re-branding," while deeply regrettable from our point of view, could avoid disruption to Embassy families and may create a climate in which DCS can operate without the sustained harassment it has endured from the SARG for more than two years. The DCS director tells us that the school cannot continue to operate with the constant uncertainty over its future and the oppressive intrusions from the Ministry of Education that started after a protracted argument over licensing the school was finally resolved in September. "Re-branding" would almost certainly mean that the U.S. Embassy sponsorship of the school would be transferred to another diplomatic mission or the school would become an independent commercial institution and the U.S. Embassy would almost certainly have to relinquish its control over the school board, including the chairmanship. The Canadian Ambassador, given the large Canadian presence in the school (some 31 Canadian citizen students), is an obvious and willing choice to defend the school's North American curriculum and English-language orientation and is very keenly aware of the need to maintain security standards and financial viability.

ACTION REQUESTS

¶10. (C) Action requests: Post requests Department's detailed guidance on how to respond to the SARG order to close the ACC. Post would also appreciate Department's reaction to the notion of "re-branding" DCS and would welcome any guidance Department may be able to offer regarding that process as well as alternative courses of action.

CONNELLY